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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DENEEL ELAINE BROWN,

Plaintiff,

v.

SMITH'S FOOD & DRUG CENTERS,
INC., a Foreign Corporation d/b/a Smith's
Food & Drug #319; DOES I through X; and
ROE CORPORATIONS I through X,
inclusive,

Defendants.

CASE NO. 2:23-cv-01431-JAD-MDC

**STIPULATION AND ORDER FOR
PARTIES TO CONDUCT THE
DEPOSITION OF THE DEFENDANT'S
FRCP 30(b)(6) WITNESS(ES) OUTSIDE
OF DISCOVERY**

Plaintiff, DENEEL ELAINE BROWN, and Defendant SMITH'S FOOD & DRUG CENTERS, INC., by and through their respective counsel submit the foregoing stipulation and order to allow the parties to conduct the deposition of the Defendant's FRCP 30(b)(6) Witness(es) after the close of discovery as follows:

Discovery in this matter closes on September 9, 2024. The last day to request an extension to the discovery deadlines was August 19, 2024.

The parties have been diligently working on setting depositions in this matter including the

1 manager on duty at the time of the subject incident as well as the FRCP 30(b)(6) witness(es).

2 Due to various scheduling conflicts, the parties were finally able to schedule all depositions
3 within the discovery period with the exception of the FRCP 30(b)(6) witness(es). Plaintiff's counsel
4 provided the final topics for the deposition on August 8, 2024. Defendant's counsel requested a
5 conference pursuant to LR 26-6 on August 23, 2024. At the same time, Defendant's counsel offered
6 two dates outside of discovery for the deposition of the FRCP 30(b)(6) witness(es) and agreed to
7 stipulate to conducting the deposition after the close of discovery. Plaintiff's counsel was agreeable.

8 The conference was held between Pooja Kumar, Esq. on behalf of the defendant, and John
9 C. Funk, Esq., on behalf of the plaintiff on August 28, 2024, resulting in an agreement of the scope
10 of the topics for the FRCP 30(b)(6) witness(es), along with an agreement that the deposition would
11 be conducted on September 20, 2024, starting at 10:00 a.m.

12 Counsel for both parties have verbally agreed to stipulate to conduct this deposition outside
13 of discovery in lieu of having to request an extension of the discovery deadlines for the sole purpose
14 of the FRCP 30(b)(6) deposition(s).

15 DATED this 29th day of August, 2024.

DATED this 29th day of August, 2024.

16 MOSS BERG INJURY LAWYERS

COOPER LEVENSON

17 /s/ **Boyd B. Moss**

18 /s/ **Pooja Kumar**

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25 *Attorneys for Plaintiff*

Attorneys for Defendant

ORDER

IT IS SO ORDERED. The parties did not comply with LR IA 6-2, which prohibits the Order and signature block from beginning on a separate page. The parties must comply with LR IA 6-2 for all future filings.

For good cause show, the stipulation is GRANTED.

DATED this 3rd day of September, 2024.

Submitted by:

MOSS BERG INJURY LAWYERS

/s/ Boyd B. Moss

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UNITED STATES MAGISTRATE JUDGE